

CLAIMS: DURATION OF JOINT COMMISSION

Convention signed at Washington November 20, 1874, modifying convention of July 4, 1868, as modified

Ratified by Mexico December 21, 1874

Senate advice and consent to ratification January 20, 1875

Ratified by the President of the United States January 22, 1875

Ratifications exchanged at Washington January 28, 1875

Entered into force January 28, 1875

Proclaimed by the President of the United States January 29, 1875

Expired in accordance with its terms

18 Stat. 833; Treaty Series 217

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE MEXICAN REPUBLIC

Whereas, pursuant to the convention between the United States and the Mexican Republic of the 19th day of April, 1871,¹ the functions of the joint commission under the convention between the same parties of the 4th of July, 1868,² were extended for a term not exceeding one year from the day on which they were to terminate according to the convention last named;

And whereas, pursuant to the first article of the convention between the same parties, of the twenty-seventh day of November, one thousand eight hundred and seventy-two,³ the joint commission above referred to was revived and again extended for a term not exceeding two years from the day on which the functions of the said commission would terminate pursuant to the said convention of the nineteenth day of April, 1871; but whereas the said extensions have not proved sufficient for the disposal of the business before the said commission, the said parties being equally animated by a desire that all that business should be closed, as originally contemplated, the President of the United States has for this purpose conferred full powers on Hamilton Fish, Secretary of State, and the President of the Mexican Republic has conferred like powers on Don Ignacio Mariscal, Envoy Extraordinary and Minister Plenipotentiary of that republic to the United States; and the said

¹ TS 214, *ante*, p. 834.

² TS 212, *ante*, p. 826.

³ TS 215, *ante*, p. 836.

Plenipotentiaries having exchanged their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I

The high contracting parties agree that the said commission shall again be extended, and that the time now fixed for its duration shall be prolonged for one year from the time when it would have expired pursuant to the convention of the twenty-seventh of November, 1872; that is to say, until the thirty-first day of January, in the year one thousand eight hundred and seventy-six.

It is, however, agreed that nothing contained in this article shall in any wise alter or extend the time originally fixed by the convention of the 4th July, 1868, aforesaid, for the presentation of claims to the commission.

ARTICLE II

It is further agreed that, if at the expiration of the time when, pursuant to the first article of this convention, the functions of the commissioners will terminate, the umpire under the convention should not have decided all the cases which may then have been referred to him, he shall be allowed a further period of not more than six months for that purpose.

ARTICLE III

All cases which have been decided by the commissioners or by the umpire heretofore, or which shall be decided prior to the exchange of the ratifications of this convention, shall from the date of such exchange be regarded as definitively disposed of, and shall be considered and treated as finally settled, barred, and thenceforth inadmissible. And, pursuant to the stipulation contained in the fourth article of the convention of the fourth day of July, one thousand eight hundred and sixty-eight, the total amount awarded in cases already decided, and which may be decided before the exchange of ratifications of this convention, and in all cases which shall be decided within the times in this convention respectively named for that purpose, either by the commissioners or by the umpire, in favor of citizens of the one party shall be deducted from the total amount awarded to the citizens of the other party, and the balance, to the amount of three hundred thousand dollars, shall be paid at the city of Mexico, or at the city of Washington, in gold or its equivalent, within twelve months from the 31st day of January, one thousand eight hundred and seventy-six, to the government in favor of whose citizens the greater amount may have been awarded, without interest or any other deduction than that specified in article VI of that convention. The residue of the said balance shall be paid in annual instalments, to an amount not exceeding three hundred thousand dollars, in gold or its equivalent, in any one year, until the whole shall have been paid.

ARTICLE IV

The present convention shall be ratified, and the ratifications shall be exchanged at Washington, as soon as possible.

In witness whereof the above-named Plenipotentiaries have signed the same and affixed thereto their respective seals.

Done in Washington the twentieth day of November, in the year one thousand eight hundred and seventy-four.

HAMILTON FISH [SEAL]

IGNO. MARISCAL [SEAL]